

7 • What do I do if my recruiter keeps calling and asking to meet to discuss my "problem?" What if he or she threatens to come to my home to escort me to the MEPS on my report date?

Veteran recruiters tell us that they will *always* seek to meet with a wavering recruit, hoping that they can "overcome the objections" he or she has to reporting. From their first phone call or attempted visit, you should state emphatically that your mind is made up and that there's nothing further to discuss. Being highly trained sales-people they will try to engage you in a dialogue about "your future." They may try to make you feel guilty by referring to all the time they've spent working on your enlistment contract. Do not take the bait! Do not attempt to argue with them nor to convince them of anything! Politely, but firmly tell them that is nothing further to discuss!

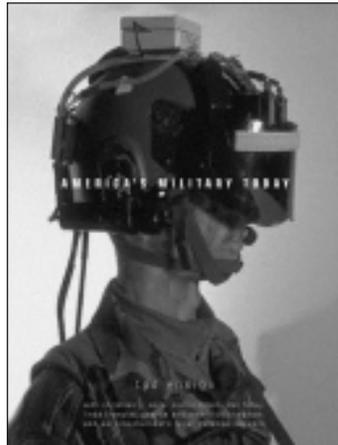
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RECRUITING, THE ENLISTMENT CONTRACT AND YOU: *The Facts • Your Rights*



CITIZEN SOLDIER

1. Recruiters constantly call our son on both his cell phone and on our home phone, which is unlisted. How do they get these numbers and how can we make them stop?

After the September 11 attacks, Bush pushed through a law which requires high schools to turn over all personal data about students to military recruiters. Any school that refuses to cooperate risks having its federal aid cut off. Parents do have the right to request that such personal data is not released, but many schools haven't processed these requests efficiently.

If the recruiters ignore your request to leave your child alone, get their commander's name and take it up with him or her.

2. A recruiter told my daughter that if she signed up for the Delayed Entry Program she wouldn't have to report for six months. What's this about?

Today, every military recruit enlists by signing a delayed entry contract. The recruit promises to report for active duty on a specific date from a few days to a year in the future. The military developed this program for two reasons. One, it allows them to more efficiently allocate training slots and assignments. Second, recruiters believe that there's less "sales resistance" if young people can put off their report date until some time in the future.

Since "manpower shortages" have plagued the military since we invaded Iraq in March 2003, recruiters often now pressure recruits to report before their DEP date to plug holes in their recruiting quotas. Some recruits have been told that if they don't report ahead of schedule they will lose promised training or assignments.

3. Our son signed to serve five years active duty because he was promised training and assignment as an EMT/Firefighter. Does the Army have to keep its promises?

It depends. The Army's current enlistment contract states that if "my program school course or training of my choice is (unavailable) then, 1) I will elect another program, School Course, or training of my choice for which I am qualified, or, 2) I will be separated from the DEP." A veteran recruiter with many years experience told Citizen Soldier that, in his experience, such recruits have always been re-assigned — never separated.

Keep in mind that Section #4 of the basic enlistment contract states: "(If) the Secretary of the Army determines for (reasons) of military necessity or national security members be available for immediate reassignment, any guarantees...may be terminated. Under these conditions I may be reassigned according to the needs of the Army." This may result in transfer to less-desirable (or more dangerous) duty.

(The enlistment contracts of the other service branches contain similar language.)



4. After I signed the DEP contract, my recruiter told me that I had to attend informal meetings and "PT sessions" at the recruiting station. Must I obey?

No. DEP enrollees are technically part of the Individual Ready Reserve (IRR). As such, they have no rank or unit assignment and receive no pay. Recruiters believe that these sessions help "bond" the recruit to the military and strengthen their commitment to report for active duty. Also, because many young Americans today are less physically fit than in the past they try to prepare recruits for tests required during basic training. For example, when a male Army recruit reports he must be able to do 13 pushups, 17 situps and run a mile in 8 1/2 minutes. Legally, they can't force a recruit to participate, but those who refuse to do so may be branded as "uncooperative" or "troublemakers."

5. Since I signed my contract, I've been having second thoughts about reporting for duty. Do I have to report?

No. Top officials of each service branch have stated publicly that in an "all volunteer" military it's against official policy for any recruit to be forced onto active duty against their will. However, down in the trenches where the recruiters live, it's often a different story.

It is common for recruiters to tell enlistees that there is no way for them to be released from their contracts. Some recruits have been advised that they can only apply for discharge after they report to Basic Training (!). Others have been told that if they don't cooperate they will be dragged away in front of their neighbors on their report date.

With 142,000 American troops tied down in the occupation of Iraq, recruiters are finding it harder than ever to sign recruits. When an enlistee "fails to ship," it goes against a recruiter's quota and he or she will have to find someone else to fill the slot. Since a recruiter's military career is often riding on his or her success in enlisting recruits, the potential for abuse in this situation is obvious.

As explained above, a DEP enrollee is considered to be a member of the IRR, not an active duty GI. Enlistees are not subject to the Uniform Code of Military Justice nor are they obliged to obey military orders until they return to the MEPS and take a second oath of allegiance on their DEP report date.

6. If I decide that I don't want to report for active duty, exactly what should I do?

Write a letter to the commander of recruiting in your area, stating that you have decided that you don't want to report for active duty. You should state that your mind is made up and no further counselling will change it. If you wish, you can add other reasons (such as a desire to attend college or trade school) which contributed to your final decision. Be sure to date the letter and include your full name, address, Social Security number and your DEP report date. Send it "certified mail, return receipt requested" keeping copies of the letter and receipts for your file.

You should also send copies to your local Member of Congress and to both US Senators from your state. Mark these envelopes; "attention; military caseworker." Finally, it may also be helpful to send copies to your minister, rabbi or priest, as well as to your high school or college guidance counselor, athletic coaches, etc.